

The Salisbury Planning Board held its regular meeting on Tuesday, January 14, 2003, 2002, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Len Clark, Fred Dula, Sean Reid, Sandy Reitz, Jerry Wilkes, Brian Miller, Jeff Smith, Elaine Stiller, Lou Manning, Rodney Queen, Ken Mowery

ABSENT: Eldridge Williams

STAFF: Harold Poole, Patrick Kennerly, Dan Mikkelson, Hubert Furr, Tammy File

The meeting was called to order by Chairman Dula. The minutes of November 26 and December 10, 2002, were approved as published.

ZONING MAP AMENDMENTS

Z- 26-02 Eddie Martin, 3180 Bringle Ferry Road

Location: Bringle Ferry Road east of Earnhardt Road
Size: Approximately 2.8 acres
Existing Zoning: A-1 (Agricultural District)
Proposed Zoning: B-4 (Highway Business District)

(a) Chairman Dula convened a courtesy hearing on Z-26-02

Planner Patrick Kennerly explained that the property proposed for rezoning is located on Bringle Ferry Road east of Earnhardt Road. The property covers approximately 208 acres with, about 300 feet of road frontage. The property lies at the easternmost extent of the Salisbury ETJ, adjacent to county-zoned property. There is currently a single family dwelling at the front of the property, with a large accessory structure to the rear.

Those speaking in favor of the zoning change request:
Eddie Martin, the applicant was present, but did not speak in his behalf.

Those speaking in opposition to the zoning change request:
Elbert Kluttz, 3250 Bringle Ferry Road (2 houses down from the site)- Already some cars have been brought to the lot. Mr. Martin recently purchased the property.
[NOTE: Mr. Kluttz purchased the property last month (Dec. 2002) from a Mr. Goodman.] His previous property further down Bringle Ferry Road was very unsightly. This (allowance for a used car lot) would deteriorate the area, which is composed of single family residential housing. Any kind of buffer would not be enough protection.

Tom Waller, 3210 Bringle Ferry Road (next door neighbor) – A low branch separates his (Waller's) property from the Kluttz property.

Susan Waller, 3185 Bringle Ferry Road – This is a residential area with nice houses. Property values would be reduced by adding a used car lot. Visibility problems at this site, with a sloped driveway as a result of Bringle Ferry Road being widened a few years ago. It would be a big safety issue.

Tony Boggs, owns 3140 Bringle Ferry Road – Says he is in the process of cleaning up a old farm place. A number of people would be in and out of a used car lot, fluids from the used cars would flow into the branch.

Allen Rouzer, 39 Rouzer Road (behind property in question) – Appears to be spot zoning.

Danny Boggs, owns property next door- Says he opposes the change.

Kathleen Boggs, owns property next door-Already a problem with the neighbor's dogs coming over to our yard, Mr. Martin has a lack of concern for the neighborhood.

Ann Rouzer, 395 Rouzer Road – We don't need this. 113 uses permitted in the B-4 district. Beyond the used car lot, what are some of the other uses ?

[At this point, Chairman Fred Dula asked for those in favor and in opposition to stand. One person stood in favor and 16 people stood in opposition.]

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Sean Reid- Can't see putting a used car lot there. There are a number of uses in the B-4 district. Can't see anyway of working this out.

Brian Miller – The property doesn't lend itself to a business use. The burden is on any new property owner to know what the allowable uses are when he buys the property.

Jeff Smith- No other commercial uses out there. Question of "spot zoning." Jeff Smith made a motion to deny rezoning for Z-26-02. Lou Manning seconded the motion, with all members voting AYE.

GROUP DEVELOPMENTS

G-7-72 Eckerd's at Salisbury Twp. Shopping Center – East Innes near Avalon Drive

Ron Turner, with Chen Development of Cornelius, submitted the application for the construction of a retail/pharmacy. The construction will require the demolition of what had been a Food Lion, shoe store, and Chinese restaurant before they closed several years ago. The old CVS building (on the Faith Road side), will remain standing and later be used for another allowable use. All zoning criteria have been met. The Technical Review Committee recommended approval, with an adjustment being made to the landscaping through the Alternate Methods of Compliance process. Its zoning is B-6 General Business, with the request being considered as an outparcel.

Ron Turner, from Eckerd's and the applicant, was present, and says this takes something that is now an eyesore and makes it into something productive. The building will be all brick, with nice landscaping.

Board Discussion:

Jeff Smith – Is glad to see something productive going in there. The way the outparcel has been laid out makes it awkward in its relationship with adjoining lot.

Ken Mowery- This proposal is a big improvement over the vacant building that is there now. Ken made a motion to approve as submitted; Brian Miller seconded the motion with all members voting AYE.

COMMITTEE REPORTS

(a) Committee 2 met on December 12, 2002, in addition to the committee members and staff, several neighbors attended the meeting. The committee voted 2 to 1 that the B-RT zoning be approved, but add the GD-A General Development-A overlay. Jeff Smith and Jerry Wilkes voted in favor of this alternative. Sean Reid voted "NAY" favoring an "S" district, which would allow the elimination of some of the uses that had been identified by neighbors as being offensive. Jeff Smith made the motion to approve Z22-02 rezoning to B-RT with a GD-A overlay, Sandy Reitz seconded the motion, with a (10-0) vote. The 10 affirmative votes instead of 12 are because of the absence of Eldridge Williams and Rodney Queen, who was removed to the audience and had been excused from participating in the case.

(b) Goals Committee Chair Fred Dula, gave the committee report. It outlines Planning Board goals for FY 03-04, with an emphasis on reducing the number of goals from last year from 16 to 8, and an emphasis on listing goals that can be accomplished during the upcoming (FY 03-04) fiscal years. In previous years, the Board has shown multi-year goals along with some goals that were more like policy statements rather than goals. The attempt of the committee was to focus on actual goals. Planning Board reviewed and approved these goals with a unanimous vote. Chairman Fred Dula is scheduled to present these goals, as well as Planning Board highlights, to the City Council on February 18.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary